

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

OLIVE BARRETT,

Plaintiff,

v.

CIVIL ACTION NO. 1:17-04161

DIESEL POWER TRANSPORT, INC.
and WILLIAM ROBERT MAYES,

Defendants.

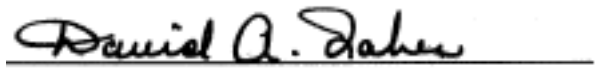
MEMORANDUM OPINION AND ORDER

Pursuant to the court's May 7, 2018 Order, plaintiff was required to provide the court with good cause regarding his failure to serve defendants. ECF No. 9. Plaintiff failed to respond to the court's order. Furthermore, while the Clerk of this court did receive a response from defendant, William Hayes, plaintiff has failed to comply with Rule 4(1) of the Federal Rules of Civil Procedure, wherein a plaintiff is required to provide proof of service to the court. Accordingly, unless plaintiff provides the court with proof of service within seven (7) days of this Memorandum Opinion and Order, the court will dismiss this action without prejudice due to plaintiff's failure to provide proof of service and failure to make service.

The Clerk is directed to send this Memorandum Opinion and Order to counsel or record and any unrepresented parties.

IT IS SO ORDERED this 28th day of August, 2018.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge